

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO

*In re*

THE FINANCIAL OVERSIGHT AND  
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO, *et al.*,

Debtors.<sup>1</sup>

PROMESA  
Title III

No. 17 BK 3283-LTS

(Jointly Administered)

*In re*

THE FINANCIAL OVERSIGHT AND  
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

PUERTO RICO SALES TAX FINANCING  
CORPORATION (“COFINA”),

Debtor.

PROMESA  
Title III

No. 17 BK 3284-LTS

**AMENDED INFORMATIVE MOTION OF AMBAC ASSURANCE CORPORATION  
REGARDING THE JANUARY 16-17, 2019 HEARING**

To the Honorable United States District Judge Laura Taylor Swain:

Ambac Assurance Corporation (“Ambac”) hereby submits this amended<sup>2</sup> informative motion in response to the Court’s *Order Regarding Procedures for Attendance*,

<sup>1</sup> The Debtors in these Title III Cases, along with each Debtor’s respective Title III case number and the last four (4) digits of each Debtor’s federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (the “Commonwealth”) (Bankruptcy Case No. 17 BK 3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation (“COFINA”) (Bankruptcy Case No. 17 BK 3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority (“HTA”) (Bankruptcy Case No. 17 BK 3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico (“ERS”) (Bankruptcy Case No. 17 BK 3566-LTS) (Last Four Digits of Federal Tax ID: 9686); and (v) Puerto Rico Electric Power Authority (“PREPA”) (Bankruptcy Case No. 17 BK 4780-LTS) (Last Four Digits of Federal Tax ID: 3747).

<sup>2</sup> The underlined portions below reflect the amendments to the informative motion filed by Ambac on January 10, 2019 (ECF No. 454 in Case No. 17-3284-LTS).

*Participation and Observation of January 16, 2019 Hearing*, dated January 9, 2019 [ECF No. 431 in Case No. 17-BK-3284], and respectfully states as follows:

1. Michael J. Moscato and Gabriel Hertzberg of Curtis, Mallet-Prevost, Colt & Mosle LLP will appear in person on behalf of Ambac at the January 16-17, 2019 hearing in Courtroom 3 of the United States District Court for the District of Puerto Rico, 150 Carlos Chardón Street, Federal Building, San Juan, Puerto Rico 00918-1767 to address, as necessary, the following matters:

- (A) *Commonwealth of Puerto Rico's Motion Pursuant to Bankruptcy Rule 9019 for Order Approving Settlement Between Commonwealth of Puerto Rico and Puerto Rico Sales Tax Financing Corporation* (the "9019 Motion") [ECF No. 4067 in Case No. 17-3283];
- (B) *Third Amended Title III Plan of Adjustment of Puerto Rico Sales Tax Financing Corporation* (and as may be further amended, the "Proposed Plan") [ECF No. 436 in Case No. 17-3284]; and
- (C) Dispute regarding obligations in connection with Section 19.5 of the COFINA Plan of Adjustment, as provided for in the procedural order entered at Docket Entry No. 4518 in Case No. 17-3283 (the "Section 19.5 Dispute," and together with the 9019 Motion and the Proposed Plan, the "Hearing Matters").
- (D) Mr. Moscato and/or Mr. Hertzberg will cross-examine Daniel P. Goldberg and Robert M. Fishman regarding the matters set forth in their declarations dated January 2, 2019, which declarations were offered by The Bank of New York Mellon ("BNYM") on January 14, 2019 in support of BNYM's position in the Section 19.5 Dispute (ECF No. 490 in Case No. 17-3284-LTS).

2. Counsel will also appear to respond as necessary to any statements made by any party in connection with the Hearing Matters.

**WHEREFORE**, Ambac respectfully requests that the Court take notice of the foregoing.

Dated: January 14, 2019  
San Juan, Puerto Rico

**CURTIS, MALLET-PREVOST,  
COLT & MOSLE LLP**

By: /s/ Gabriel Hertzberg  
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(admitted *pro hac vice*)  
Gabriel Hertzberg  
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**CERTIFICATE OF SERVICE**

I hereby certify that, on this same date, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to all CM/ECF participants in this case.

*/s/ Roberto Cámara-Fuertes*

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